

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AQUA-LEISURE INDUSTRIES, INC.,

Plaintiff,

v.

GEMMY INDUSTRIES
CORPORATION,

Defendant.

CIVIL ACTION NO. 04-CV-10070-
RGS

**THIRD ASSENTED-TO MOTION TO EXTEND TIME TO ANSWER
OR OTHERWISE RESPOND TO COMPLAINT**

Defendant, Gemmy Industries Corporation (“Gemmy”), moves the Court for a further extension of time until Thursday, April 1, 2004, to file its answer or otherwise respond to the Complaint for Declaratory Judgment filed by plaintiff, Aqua-Leisure Industries, Inc. (“Aqua-Leisure”). In support of its motion, Gemmy states that the parties continue to be involved in extensive negotiations to resolve this matter and it is likely that a settlement will be reached by the parties.

Aqua-Leisure’s counsel has assented to the requested extension of time.

GEMMY INDUSTRIES CORPORATION,

By its attorneys,

Dated April 18, 2004

/s/Michael A. Albert

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